



## Dallas Police Department General Order

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U. RENÉE HALL  
CHIEF OF POLICE

Revised 01/22/2018

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### 901.00 Response Continuum

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#### 901.00 RESPONSE CONTINUUM

##### 901.01 Response Continuum – Philosophy

- A. The Response Continuum:
  - 1. Is a concept used in incident handling that simultaneously recognizes the level of subject resistance encountered and the level of control required for the situation.
  - 2. Is an overview that does not direct a particular officer on how much control to use in a particular situation.
  - 3. Gives direction in the escalation and de-escalation of resistance and the escalation and de-escalation of control necessary in police incidents.
  - 4. Explains that many variables are involved in situations where an officer must control a subject.
  - 5. The Dallas Police Department uses the Linear Response-to-Resistance Continuum as its training model. (see attached)
- B. Skillful use of the options identified in the Response Continuum decreases the necessity to respond with physical control techniques and increases the probability of bringing the incident to a successful conclusion. The physical control techniques used may range from the use of handcuffs in an arrest, strikes with an impact weapon, or the use of a firearm.
- C. In all cases the Dallas Police Department dictates that only reasonably *necessary* control techniques are justified. Any use of control techniques above that would be unjustified and the goal of control violated.
- D. Where there is no apparent need to take a suspect into immediate physical custody, officers should utilize tactics designed to de-escalate the situation and facilitate a safer resolution whenever reasonably possible. The use of delaying tactics in order to obtain more favorable physical cover and additional officer presence is encouraged, as long as the safety of the officer, citizens, and subject is not compromised in doing so.
- E. Officers will be in situations where the use of physical control techniques is necessary and justified. In all cases of physical control, the potential exists for injury to officers and subjects. Officers will ensure that as soon as subjects are brought under control, they are placed in an upright position (if possible) or on their side. Officers are responsible for rendering first aid to injured subjects. First aid will include:
  - 1. Monitoring the subject.
  - 2. Calming the subject through reassurance.
  - 3. Checking pulse and skin color.
  - 4. Checking for consciousness through the use of interviews.
  - 5. Applying direct pressure, if necessary.

##### 901.02 Use of Physical Control Techniques

- A. The use of physical control techniques must be examined from two perspectives: resistance (Subject) and control (Officer). Both control and resistance can be in the form of verbal directives or physical action.
  - 1. Resistance - a subject's non-compliance to the officer. The amount and type of resistance varies based on a number of factors.
  - 2. Control - the force an officer uses to influence or neutralize a non-compliant subject. Officers are justified in using physical control techniques in the following situations:
    - a. To protect the officer or another from injury or death.
    - b. To effect the lawful detention or arrest of a non-compliant subject.
    - c. To stop potentially dangerous and unlawful behavior.
    - d. To protect a subject from self-injury.
- B. The Dallas Police Department uses broad standards to measure the justification of an officer's use of physical control techniques.
  - 1. The control techniques used were initiated by a subject's resistance.
  - 2. The level of control used was necessary and reasonable considering the subject's resistance.
- C. A *Show of Control* (displaying tactical advantage to persuade the suspect to comply with verbal commands) is implemented to influence a subject to make positive decisions. A *Show of Control*:
  - 1. Reduces reaction time.
  - 2. Serves as a visual warning of potential use and imparts to a subject that resistance is futile.
  - 3. Adds intermediate steps to the DPD Response Continuum.
  - 4. Can be recalled or de-escalated to lower forms of control.
- D. *Use of Control* is an action that can result in tissue damage to a subject and when employed cannot be recalled, this is to include OC Spray.

##### 901.03 Levels of Subject Resistance

- A. Psychological Intimidation: Non-verbal clues indicating the subject's attitude, appearance, and physical readiness.
- B. Resistive Dialogue: Verbal responses indicating unwillingness or threats.
- C. Passive Resistance: Physical actions that do not attempt to defeat the officer's attempt to control. The subject will not voluntarily comply with verbal and physical attempts of control.
- D. Defensive Resistance: Physical actions to impede arrest by attempting to prevent officer's control, but does not involve attempts to harm the officer. This means there has been physical contact between the officer(s) and suspect. Simply running from officers who have not made any previous physical contact with the suspect does not constitute defensive resistance.

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- E. Active Aggression: Physical actions of assault toward officer. This includes a suspect who attempts to attack, grabs, punches, kicks, and/or wrestles with the officer, or a suspect that displays an obvious imminent intent to attack, grab, punch kick, and/or wrestle with the officer.
- F. Aggravated Aggression: Force which in the manner of its use or attempted use reasonably creates a substantial risk of death or serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

### 901.04 Levels of Control

- A. Officer Presence: Bearing, confidence, poise, and perceivable effectiveness assisting the officer in incident interaction. Officer presence includes two essential elements that are implemented to control the situation from the onset:
  - 1. Cognitive Skills: Information, such as law and procedures, which gives the officer a foundation of preparation for incident interaction.
  - 2. Tactical Control: Use of skills and techniques, such as tactical approach, to avoid confrontation and minimize risk; use of cover support; tactical disengagement, and tactical withdrawal.
- B. Verbal Control: Communication skills used by an officer to enhance escalation prevention during incident interaction. (Commands of direction, control, or arrest.)
- C. Empty Hand Control: Empty hand control techniques depend upon the level of subject resistance. The four categories of empty hand control are:
  - 1. Soft Empty Hand Control (Techniques with a low probability of injury): Joint Locks, Pressure Points, Handcuffing. Note: If handcuffing is used as a control technique and the subject is subsequently not taken into custody, a handwritten or MDT generated MIR must be completed.
  - 2. Oleoresin Capsicum (OC) Spray (Technique that can result in tissue damage, allergic reaction, or respiratory distress).
    - a. Hand held aerosols
    - b. PepperBall area saturation
  - 3. Electronic Control Weapon.
  - 4. Hard Empty Hand Control (Techniques with a probability of injury): Defensive Counterstrikes, Iron Wrist Take-down, and Brachial Stuns (use of personal weapons, i.e.: hands, feet, etc.)
- D. Intermediate Weapons: Use of intermediate weapons is justified for situations when the officer believes empty hand control will be ineffective, inappropriate, or when empty hand control has already failed.
  - 1. The use of intermediate weapons is categorized as follows:
    - a. Soft Intermediate Weapon Control: Impact weapon, joint locks, come-a-longs and blocks.
    - b. PepperBall system-direct contact
    - c. Hard Intermediate Weapon Control: Impact weapon strikes, jabs, and chops.
  - 2. Departmentally authorized batons (refer to General Order 802.23).
- E. Deadly Force: The use of physical control that will cause death or serious bodily injury. Deadly Force will only be employed in accordance with the Department's Deadly Force Policy (refer to Section 906.00).

### 901.05 Variables that Impact the Response Continuum

- A. The Response Continuum emphasizes various levels of control exercised by an officer in response to the levels of resistance exhibited by a subject. The appropriate level of control response will be determined by the facts that are reasonably apparent to the officer at the time of an incident and at the moment that a level of control is initiated.
- B. Officers must take into consideration four variables that impact Response Continuum use. These variables include, but are not limited to, the following:
  - 1. Officer(s)/Subject(s) size, obvious infirmities or disabilities, and age.
  - 2. Environmental conditions.
  - 3. Reaction time.
  - 4. Totality of circumstances.
- C. In all situations, officers will use only those physical control techniques reasonably necessary to control the situation. The Response Continuum provides a probability and not a guarantee that the level of subject resistance will not escalate.



## Dallas Police Department General Order

### 902.00 Chemical Spray and Pepperball Launcher System

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#### 902.0 CHEMICAL SPRAY AND PEPPERBALL LAUNCHER SYSTEM

#### 902.01 OLEORESIN CAPSICUM CHEMICAL SPRAY (OC SPRAY)

- A. Oleoresin Capsicum Chemical Spray (OC Spray) is classified as hard empty hand control on the DPD Response Continuum. Only OC Sprays authorized by the Dallas Police Department will be used.
- B. Policy: While control of a suspect through advice, warning, or persuasion is preferable, the use of OC Spray is sometimes necessary.
  - 1. Use of OC Spray is justified:
    - a. To control a physically resisting suspect.
    - b. To defend an officer or another person.
    - c. To protect a person from injuring themselves.
    - d. When lesser levels of control are ineffective.
    - e. On physically resisting handcuffed prisoners when a lesser attempt of control is ineffective.
  - 2. OC Spray will not be used on subjects who are using techniques of passive resistance or subjects who are not posing a physical threat to persons or property.
  - 3. Under no circumstances will OC Spray be applied after resistance has ceased.
- C. Tactical Considerations
  - 1. Officers should be aware that the reaction to OC Spray varies from subject to subject and may not establish control.
  - 2. Caution should be used when using OC Spray against a subject in a building or vehicle. Officers must consider cross-contamination of other officers and subjects balanced with the need to control.
  - 3. Caution should be used before OC Spray is used in a health care facility.
  - 4. OC Spray is highly flammable and should not be sprayed into or near an open flame. Use caution after spraying the product. Do not allow sprayed subjects to be exposed to an open flame.
- D. Follow-up Care - Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.
  - 1. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, check the subject's vital signs (pulse and breathing) to determine any apparent medical difficulties. Place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until after transport to the Lew Sterrett Criminal Justice Center or Parkland Hospital.
  - 2. Officers must provide first aid and decontamination to subjects who are sprayed with OC Spray. First aid and general decontamination includes:
    - a. Remove the subject from the contaminated area.
    - b. Expose the subject to fresh air, face in the wind.
    - c. Flush the subject's eyes with water, if available.
    - d. Reassure and encourage subject to remain calm.
    - e. Monitor the subject and look for positive signs of recovery: eyes opening, controlled breathing, calming of the subject.
    - f. If officers do not observe these signs of recovery and believe they have a medical emergency, or they are provided with additional medical information such as heart or respiratory problems, officers should have an MICU come to the scene.
  - 3. Unless hospitalized or field released, sprayed adult subjects will be transported to the Lew Sterrett Justice Center, unless the only charge is Public Intoxication. They will be examined by medical personnel prior to incarceration at the Lew Sterrett Justice Center or transported to Parkland Memorial Hospital for further treatment. Due to a contractual agreement with the City, the Lew Sterrett Justice Center will not accept prisoners whose only charge is Public Intoxication, nor will the medical staff treat prisoners who will not be booked into the Justice Center. Officers will note on the booking sheet that the prisoner has been sprayed with OC Spray, and will inform personnel at Lew Sterrett Justice Center or any other detention facility.
- E. Juveniles who have been sprayed will be provided medical attention by Dallas Fire Rescue (DFR) *prior* to field release or arrival at the Youth Operations Unit.
- F. Reporting Requirements - Officers will complete an Incident Report and provide a brief account of the OC Spray use. Officers will include the date, time, and location. Also, if DFR ambulance is called to the scene, officers will provide the ambulance number and names of medical personnel examining the individual. Officers must report this information using the following:
  - 1. Prepare an Incident Report - applicable when a *Warrants Only Arrest Report* is used. (Write the incident report number in the *Comments* section of the *WARRANTS ONLY Arrest Report* along with the words: *OC Spray Arrest or PepperBall System Arrest*.)
  - 2. A DEARS Arrest Report Narrative - applicable for all other arrests.
  - 3. Prepare an Incident report whenever a sprayed subject is field released. (MICU ambulance number is required along with supervisor name/badge number authorizing the field release.)
- G. Certain precautions must be taken when handling and transporting prisoners suspected of suffering from drug-induced psychosis/excited delirium, especially if OC Spray has been applied. (refer to G.O. 905.00).
- H. Initial Training

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1. Recruit officers will receive initial training while at the Academy. The initial training class is an eight (8) hour course which includes exposure to the chemical spray. Officers completing this class will be certified to carry and utilize the OC Spray.
2. Patrol officers who have not completed this training and wish to carry the OC Spray, should contact the Divisional Training Coordinator to inquire about the next available training class at the Academy. Officers will not carry or utilize the OC Spray until they have completed an initial training class and are certified.
- I. Update Training - All officers certified to carry OC Spray will receive biennial (every two years) update training. This training may be in the form of a Roll Call Training Bulletin or actual "hands-on" training at the Divisional level.

### 902.02 PEPPERBALL LAUNCHER SYSTEM – USAGE AND PROCEDURES

- A. Purpose - To set forth the guidelines for the training, deployment, maintenance, storage, documentation and decontamination procedures of the PepperBall Launcher System.
- B. General Departmental Policy
  1. The Pepperball System is classified as hard empty hand control when used for area saturation and is an intermediate weapon when used as direct contact.
  2. It is the policy of the Dallas Police Department to resolve incidents requiring law enforcement intervention in as humane and safe a manner as reasonably possible. To that extent, the Dallas Police Department will use non-lethal alternatives (PepperBall system in those circumstances that provide for the safe and efficient deployment of less-lethal alternatives as described in this policy.)
- C. Definitions
  1. PepperBall Launcher - a non-lethal force alternative that utilizes compressed air to deliver a non-pyrotechnic projectile. The device can be considered either a chemical irritant (OC) delivery device or impact (kinetic energy) weapon.
  2. PepperBall Projectiles - are plastic spheres filled with 5% Oleoresin Capsicum (OC) powder (red), inert liquid (clear), scented powder for training (purple) and dye marker (green). In addition, a solid glass breakage round is available.
  3. Air Bottle - (SCUBA) Bottle of compressed air used to charge the PepperBall System.
- D. Initial Training Certification
  1. All users of the PepperBall System will attend and successfully complete an approved course of instruction including, but not limited to; familiarity, application, deployment, use of force, transition to primary weapon, maintenance, etc. approved and sanctioned by the Training Section. A written exam and demonstration of proficiency will be completed.
  2. In addition, all users will complete update training every two years in the use and maintenance of the PepperBall System.
- E. Saturation Deployment-Pepperball System
  1. The departmental issued PepperBall launchers are the only PepperBall delivery system authorized to be used by sworn members of the Dallas Police Department. No other delivery system or personal launchers will be carried or used. PepperBall rounds will only be fired from departmental issued PepperBall launchers and will be used only in the line of duty or in approved training. Whenever possible, patrol officers will notify a supervisor when there is an indication by comments of call or officer's prior knowledge of a location or individual, that there may be a potential for conflict and the use of the PepperBall System may be a needed resource at the location.
  2. The PepperBall System may be utilized for saturation in the following situations:
    - a. When it is unsafe for an officer to approach a subject within contact range, or,
    - b. When higher use of force options may be justified, but an opportunity exists for the use of PepperBall System saturation before other options are employed.
    - c. May be used as saturation to disperse unruly or rioting crowds threatening unlawful property damage or physical force. With Pepperball usage, the primary target area (dealing with large crowds) will be the ground. If ground saturation is determined not to be a viable option, or has proven to be ineffective, the wall, building or other fixed object behind or adjacent to a crowd may be considered as a secondary target area. However, if officers decide to fire projectiles at a wall area or fixed object behind or adjacent to a crowd, the officers must ensure that the projectiles are fired well above the heads of individuals in the crowd. In saturation deployment, officers must ensure that the rounds do not make direct hit contact with any of the persons involved.
    - d. Inside a detention-facility (only if requested by the agency in charge) or building, after ample verbal warning, if an inmate or secreted person refuses to comply with a lawful order, and/or the person takes an aggressive posture (i.e. clenched, fists, fight stance, etc.) or makes aggressive movements toward an officer or other person.
  3. In addition, the PepperBall System may be used for area saturation when:
    - a. Deemed necessary to effect the arrest (officer and/or citizen safety)
    - b. The use will prevent the escalation of violence of one person(s) against another or;
    - c. When its use will avoid escalation of force, or,
    - d. To stop or subdue an animal that is aggressive to any person.
  4. The PepperBall System Area Saturation will not be used on subjects who are passively resisting or who are not posing a physical threat to persons/property to include persons fleeing the scene.
- F. Direct Contact Hits – Pepperball System
  1. Direct Contact Hits will be allowed when a subject exhibits violent behavior that threatens the safety of self and/or others and the use of the overall PepperBall System is justified. (Note: Officers must be able to articulate the violent behavior and the perceived threat to self or others). The PepperBall System should never be used to intentionally target the head, neck, face, eyes, and spine unless deadly force is justified. Under no

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- circumstances will the Pepperball System be applied after resistance has ceased. Officers need to be aware of changes in the levels of resistance, and coordinate their level of force accordingly. Officers will not utilize Direct Contact Hits unless they are involved in a situation which includes Active Aggression towards the officers or others. (Active Aggression is the physical action of an assault towards the officer. This includes one who attempts to attack, grab, punch, kick and/or wrestles with any officer or citizen.)
2. Important factors to document in the report will include:
    - a. The totality of the situation- age, gender, size, fitness level, skill level of officers or subject
    - b. Number of officers/Number of subjects present
    - c. Special Circumstances – close proximity to a weapon, special knowledge of the situation, injury or exhaustion, ground position, imminent danger
  3. Subjects that receive Direct Contact Hits of pepperball projectiles will receive medical treatment by medical personnel as outlined in General Order 902.00 (D). Officers electing to use the PepperBall System to disable a potentially violent suspect should do so with "hard cover" present, when possible. Hard cover is at least one additional officer at the scene, other than the officer deploying with the PepperBall System, who is safely positioned to monitor the actions of the officer and the suspect, and is immediately prepared to respond with lethal force if necessary.
  4. The solid glass breakage round will not be used for direct hits unless the officer is confronted with a deadly force situation where no reasonable alternatives exist.
- G. Follow-up Care And Decontamination - Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.
1. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, check the subject's vital signs (pulse and breathing) to determine any apparent medical difficulties. Place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until after transport to the Lew Sterrett Criminal Justice Center or Parkland Hospital.
  2. Subjects that receive direct contact of Pepperball projectiles will receive medical treatment by medical personnel. First Aid and General Decontamination will include:
    - a. Remove the subject from the contaminated area.
    - b. Expose the subject to fresh air, face in the wind.
    - c. Flush the subject's eyes with water, if available.
    - d. Reassure and encourage the subject to remain calm.
    - e. Monitor the subject and look for positive signs of recovery: eyes opening controlled breathing, calming of the subject.
    - f. If officers do not observe these signs of recovery and believe they have a medical emergency, or they are provided with additional medical information such as heart or respiratory problems, officers should have an MICU come to the scene.
    - g. If the Pepperball System is utilized, officers should not allow the subject to rub their face. Officers can assist in decontamination by brushing residual OC powder from the subject's clothing. Officers should use gloves and stand upwind from the subject to briefly brush OC powder from the subject's clothing.
  3. Unless hospitalized or field released, adult subjects under arrest and exposed to OC powder will be transported to Lew Sterrett Justice Center, unless the only charge is Public Intoxication. They will be examined by medical personnel prior to incarceration at the Lew Sterrett Justice Center or transported to Parkland Memorial Hospital for further treatment. Due to a contractual agreement with the City, the Lew Sterrett Justice Center will not accept prisoners whose only charge is Public Intoxication, nor will the medical staff treat prisoners who will not be booked into the Justice Center. Officers will note on the booking sheet that the prisoner has been exposed to OC powder and will inform personnel at Lew Sterrett Justice Center or any other detention facility.
  4. Juveniles who have been exposed will be provided medical attention by Dallas Fire Rescue (DFR) prior to field release or arrival at the Youth Operations Unit.
- H. Reporting Requirements – Officers will complete an Incident Report and provide a brief account of the use of the Pepperball System. Officers will include the date, time, and location. Also, if DFR ambulance is called to the scene, officers will provide the ambulance number and names of medical personnel examining the individual. Officers will provide a detailed description of the decontamination process, the number of projectiles deployed, as well as any observed or reported injuries. Officers must report this information by using the following:
1. Prepare an Incident Report – applicable when a *Warrant's Only Arrest* Report is used. (Write the incident report number in the *Comments* section of the WARRANTS ONLY Arrest Report along with the words: OC Spray Arrest or Pepperball System Arrest.)
  2. A DEARS Arrest Report Narrative – applicable for all other arrests.
  3. Prepare an Incident Report whenever a subject is being field released and the subject has been directly or indirectly exposed to usage of the Pepperball System. Officers must include the supervisor name/badge number that is authorizing the field release.
  4. In addition to the above reporting requirements, officers will complete the Taser/Pepperball Incident Report Form before the end of tour of duty and forward it through the chain of command.
- I. Considerations
1. Certain precautions must be taken when handling and transporting prisoners suspected of suffering from drug-induced psychosis/excited delirium, especially if the Pepperball System was used. (Officers should refer to General Order 905.00.)
  2. Prior to firing the PepperBall launcher, when possible and practical, the officer should give loud verbal commands to the targeted suspect ordering him to comply with the officer's instructions. The officer also announces to other officers present that he will be deploying "PEPPERBALL". This information helps communicate the officer's intentions and minimizes the likelihood of sympathetic fire from the other officers.

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3. Sworn members should remain aware that the effects of the OC powder may vary between individuals; therefore, they must remain alert to the possibility that other means may be necessary to subdue the offender.
  4. When deploying the PepperBall System to saturate an area or when directed at offenders, officers should consider environmental issues such as wind and rain and be aware of accidental contamination of other officers and bystanders.
  5. Deploying officers must always be aware of their target and background and are responsible for every round fired.
- J. Training
1. All sworn personnel who are certified to carry the Pepperball System will receive recertification training and qualify every two years.
  2. This training will be monitored by a certified Pepperball System instructor and documented on the employees training record.
  3. Any employee that fails proficiency training will immediately be remediated. If the employee fails after remediation, he/she will be suspended from carrying the Pepperball System until he/she successfully completes the proficiency training.
  4. It will be the responsibility of the supervisor over the Pepperball System to complete a memo to the employee's chain of command documenting suspension of authorization to carry the Pepperball System.
  5. When the employee successfully passes proficiency training, the Pepperball supervisor will document the fact in a memorandum to the employee's chain of command.
- K. Maintenance
1. Each Division/Unit will designate a coordinator that will be the armorer. Division/Unit coordinators will have the following responsibilities:
    - a. Sworn members shall not alter, adjust, or modify the Pepperball launcher in such a way as to change the pressure, the velocity of the rounds, or the basic design of the launcher. The addition of lights and or sights may be added at the discretion of the designated Departmental Pepperball Training Coordinator. (This individual is designated by the Training Section).
    - b. The Division/Unit Coordinator will conduct semi-annual inspections of the launchers and maintain it in a state of operational readiness. Documentation of the inspections will be forwarded to the Division Commander for review and retention.
    - c. If the PepperBall launcher has any repair problems that cannot be taken care of at the divisional level, the designated Departmental PepperBall Training Coordinator will have the final authority to take the weapon out of service and return it to the appropriate manufacture.
  2. Exterior - To clean the exterior, use a towel dampened with water to wipe off oil or debris. DO NOT use any cleaning solvents.
  3. Internal
    - a. Periodically applying the supplied oil on the exposed O-ring of the air bottle and to the internal O-ring of the bolt will keep the system operating efficiently.
    - b. To lubricate the launcher, use a few drops of lubricating oil on the front bolt, rear bolt O-ring, linkage arm and bottle O-ring.
  4. Air Bottle
    - a. Officers utilizing the Pepperball System will visibly inspect the air bottle pressure at the start of the shift to ensure proper pressure.
    - b. If the air bottle pressure is less than 750 pounds of pressure, the officer who the system is assigned will re-pressurize the air bottle to its maximum pressure immediately.
    - c. As with any high-pressure system, caution must be exercised to prevent a hazardous situation. The High Pressure Air Tanks for refilling bottles to power the SA200 will be kept in a secure location. Everyone who has attended the PepperBall Certification course will be qualified to charge his/her own bottle, but for increased safety, will wear the provided safety glasses when recharging.
    - d. NOTE: Before doing any cleaning or maintenance, remove the air bottle from the launcher system. SCUBA tanks are required to be visually inspected each year, and hydrostatically tested every five (5) years. Each SCUBA tank should have a label that determines the inspection schedule for the tank.
  5. Storage
    - a. PepperBall launchers are issued to qualified officers at the beginning of each duty shift. The launchers and ammunition should be inspected prior to being secured in the police vehicle. PepperBall launchers should be stored in a protective case and secured in a police vehicle when checked out by a qualified officer. PepperBall launchers should be stored in a protective case in a secured area when not checked out for use.
    - b. When checked out by an officer for patrol use, the PepperBall launchers should be stored with the bolt forward, magazine tube or hopper empty, and the safety "on". PepperBall launchers should be loaded, used, and rendered safe in accordance with the procedures outlined in the PepperBall training course.





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### **903.00 Use of Restraining Holds**

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CHIEF OF POLICE

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#### **903.00 USE OF RESTRAINING HOLDS**

##### **903.01 Team Take-Down Contact Control**

- A. If there are multiple officers at the scene, the Team Take-Down method is an effective restraining hold for controlling violent subjects.
- B. This restraining hold consists of each officer controlling one limb of the subject with the officer's body weight, until the subject can be handcuffed. A fifth officer can immobilize the subject's head, if necessary, to prevent injury.
- C. Follow-up Care - Officers are responsible for rendering first aid to injured subjects (refer to Section 901.01 D).
- D. In the Arrest Report narrative, the arresting officers will document the use of the Team Take-Down Contact Control.



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### 904.00 Impact Weapons

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CHIEF OF POLICE

Revised 11/03/2015

#### 904.00 IMPACT WEAPONS

- A. Impact weapons are categorized as Intermediate Weapons. The use of impact weapons is justified for situations when the officer believes empty hand control is ineffective or inappropriate.
- B. The use of intermediate weapons is categorized as:
  - 1. Soft Intermediate Weapon Control: Impact weapon, joint locks, come-a-longs and blocks.
  - 2. PepperBall System – Direct Contact Procedures for training and deployment are outlined in Patrol SOP 1937.
  - 3. Hard Intermediate Weapon Control: Impact weapon strikes, jabs, and chops.
- C. Officers may carry any Departmentally authorized baton after completing the required training course and maintaining certification. (G.O. 802.23)
- D. Officers will not carry knuckles, slappers, or blackjacks.
- E. Flashlights are not designed as impact weapons and normally will not be used as a self-defense tool.
- F. Officers are responsible for rendering first aid to injured subjects (refer to G.O. 901.01 D).



## Dallas Police Department General Order

### 905.00 Drug Induced Psychosis/Excited Delirium

U. RENEE HALL  
CHIEF OF POLICE

Revised 03/12/2014

#### 905.00 HANDLING SUSPECTS EXHIBITING SYMPTOMS OF DRUG-INDUCED PSYCHOSIS/EXCITED DELIRIUM, OR A PSYCHOTIC EPISODE

- A. Individuals who are suffering from drug-induced psychosis/excited delirium often exhibit these types of behavior:
  - 1. Hallucinations
  - 2. Sensitivity to light
  - 3. Paranoia
  - 4. Delusions of persecution
  - 5. Unusually great strength
  - 6. Aggression toward objects
  - 7. Extremely high body temperature (Hyperthermia)
  - 8. Dilated pupils
  - 9. Undressing in public
  - 10. Hiding behind bushes, trees, or cars
  - 11. High blood pressure
  - 12. High pulse rate
  - 13. Seizures
  - 14. Thrashing after restraint
  - 15. Jumping into water
  - 16. Self-inflicted injury
- B. Subjects suffering from this disorder may collapse and die without warning, and are subject to medical distress within an hour after being restrained. Subjects will be placed in an upright position (if possible) or on their side as soon as they are brought under control.
- C. Immediately upon recognition by responding officers that a subject is in a state of excited delirium, officers will advise dispatch of the condition and request Dallas Fire Rescue, a supervisor, and additional cover elements. Officers will treat the arrest of a subject as a medical emergency. Officers will not delay the transport of a subject while waiting for supervisory approval. The subject will be transported to a medical facility by Dallas Fire Rescue ambulance. In all instances, an officer will ride in the rear of the ambulance to the medical facility with the subject. Persons believed to be suffering from drug-induced psychosis/ excited delirium will be continuously monitored by police personnel. Such subjects are not to be left unattended at any time. Supervisors will respond to the call location or will meet the officer and subject at the medical facility where the subject is transported.
- D. All actions taken to subdue a subject believed to be suffering from drug-induced psychosis/excited delirium will be thoroughly documented in all offense/incident and arrest reports. Officers will also document their observations of the subject's condition, which Dallas Fire Rescue ambulance transported the subject, and where medical treatment was received.
- E. If a subject that has been physically restrained, handcuffed or taken into custody and is transported to a medical facility after experiencing a medical emergency, the arresting or transporting officers will notify the on-call Special Investigation Unit (SIU) supervisor.



## Dallas Police Department General Order

### 906.00 Use of Deadly Force

U. RENEÉ HALL  
CHIEF OF POLICE

Revised 06/19/09

#### 906.00 USE OF DEADLY FORCE

##### 906.01 Philosophy

- A. This philosophy is intended as a broad guide to the use of deadly force and as a moral and ethical approach to the use of deadly force policy. Although not intended as a strictly enforced set of rules, the philosophy statement describes the manner in which the procedures will be applied.
- B. Protection of human life is a primary goal of the Police Department; therefore, police officers have a responsibility to use only the degree of force necessary to protect and preserve life.
- C. Deadly force will be used with great restraint and as a last resort only when the level of resistance warrants the use of deadly force. The Dallas Police Department places a greater value on human life than on the protection of property; therefore, the use of deadly force is not allowed to protect property interests.

##### 906.02 Use of Deadly Force Policy

- A. Justification for the Use of Deadly Force -In all situations, justification for the use of deadly force must be limited to the facts reasonably apparent to the officer at the time the officer decides to use the force.
- B. Definitions
  1. Reasonably Perceive - The facts or circumstances the employee knows, or should know, that would cause an ordinary and prudent peace officer to act or think in a similar way under similar circumstances.
  2. Reasonable Alternative - An action that may be taken by the officer that may allow the officer to avoid the use of deadly force.
  3. Reasonable Belief - A belief that would be held by an ordinary and prudent person in the same circumstances as the actor.
  4. Serious Bodily Injury - Bodily injury that creates a substantial risk of death, serious permanent disfigurement, or protracted loss of impairment of the function of any bodily member or organ.
- C. Avoiding the Use of Deadly Force
  1. At the point when an officer should reasonably perceive the potential exists that deadly force may be an outcome of any situation, the officer must use reasonable alternatives if time and opportunities permit. The reasonableness of the action is based upon the time available, the opportunity of performing the action, and the facts apparent to the officer prior to and during the incident.
  2. Planned and supervised hazardous entry situations are recognized as meeting the requirements of reasonable alternatives above.
  3. Officers will not fire their weapons under conditions that would unnecessarily subject bystanders or hostages to death or possible injury except to preserve life or to prevent serious bodily injury.
- D. Authorization to Use Deadly Force -Officers will only use deadly force to protect themselves or another person from imminent death or serious bodily injury.
- E. Drawing or Displaying Firearms - Officers may draw or display firearms when there is a threat or reasonable belief that there is a threat to life or they have a reasonable fear for their own safety and/or the safety of others.
- F. Discharging Firearms at Moving Vehicles -
  1. Discharging firearms at a moving or fleeing vehicle is prohibited unless it is necessary to prevent imminent death or serious bodily injury to the officer or another person.
  2. Officers will not voluntarily place themselves in a position in front of an oncoming vehicle where deadly force is a probable outcome.
  3. When confronting an oncoming vehicle, officers will move out of its path, if possible, rather than fire at the vehicle.
- G. Officers will not fire warning shots.
- H. Policy Restrictions - The restrictions of this policy shall not apply if an off-duty officer acts within the provisions of current state statutes to protect the employee's personal property. In this case the officer is acting as a private citizen.



## Dallas Police Department General Order

### 907.00 Electronic Control Weapon

U. RENÉE HALL  
CHIEF OF POLICE

Revised 02/17/2017

#### 907.00 ELECTRONIC CONTROL WEAPON

##### 907.01 Definitions

- A. Electronic Control Weapon (ECW) – a less than lethal force alternative that utilizes compressed nitrogen to shoot two small probes up to 21 feet. The probes are connected to the weapon by high voltage insulated wires. Electrical pulses are then transmitted along the wires into the target.
- B. Air Cartridge – uses a non-flammable nitrogen propellant. The probes and wires are contained within the cartridge. Each cartridge is marked with an individual serial number.
- C. Digital Power Magazine (DPM) – a custom lithium energy cell power supply system for the ECW.
- D. ECW Coordinator – Divisional employee responsible for the distribution, upkeep, functionality and auditing of the ECW assigned to their Division.
- E. (Anti-Felon Identification): Every time an Air Cartridge is fired, it disperses 20-30 identification tags called AFIDs. These tags are printed with the serial number of the cartridge and can be used to determine who fired the cartridge.
- F. Reasonable Person Standard – Facts or circumstances the employee knows, or should know, are such as to cause an ordinary and prudent peace officer to act or think in a similar way under similar circumstances. "Reasonableness" is subject to review and determination by the chain of command.

##### 907.02 General Departmental Policy

- A. It is the policy of the Dallas Police Department to resolve incidents requiring law enforcement intervention in as humane and safe a manner as reasonably possible.
- B. To that extent, the Dallas Police Department will use less than lethal alternatives (ECWs) in those circumstances that provide for the safe and efficient deployment of less lethal alternatives as described in this policy.
- C. The ECW is a less than lethal weapon system that delivers electrical energy and is designed for the purpose of subduing persons who are actively resisting arrest without causing serious injury or death.
- D. **The ECW may be used in the following instances: (1) subjects who aggressively assault the officer in a less than deadly force manner (Active Aggression); and (2) subjects who threaten or attack an officer (or another) with force, which the officer believes could result in serious injury.**
- E. Officers need to be aware of changes in the levels of resistance, and coordinate their level of force accordingly. All uses of force must be justified and all pertinent information should be documented including such possible factors as:
  - 1. The severity of the crime
  - 2. Whether the suspect poses an immediate threat to the safety of themselves or others.
  - 3. Does the suspect have a history of violent behavior?
- F. The deployment of the ECW may be done in arrest situations involving Defensive Resistance.
- G. Officers may draw or display with an arch their ECW when there is a threat or reasonable belief that there is a threat of Active Aggression. This means the officer may draw or display the ECW at a lesser level if the suspect's actions, or words, reasonably lead the officer to believe that the situation is likely to escalate to the Defensive Resistance level. If an arch display is used but there is no actual deployment of a cartridge, the officer is required to complete a ECW (TASER X26) Incident Report and should notify a supervisor. An arch display is performed by removing the live cartridge and pulling the trigger to display the electrical arch, with the intent that seeing the arch will gain suspect compliance. The arch display does not make contact with the suspect.

##### 907.03 Authorization and Training

- A. The departmental issued Taser X26 is the only ECW authorized to be used by trained and certified sworn members of the Dallas Police Department. No other ECW will be carried or used. Officers certified to use a ECW may purchase the TASER X26 Law Enforcement model from TASER International to carry during their shift. Certified ECW users are required to use only Departmental issued cartridges and must surrender their ECW upon request for data downloads. Approved ECWs will only be used in the line of duty or in approved training with a certified instructor present.
- B. All users of the ECW will attend an initial eight hour course of instruction including, but not limited to familiarity, application, deployment (physical competency), use of force, transition to primary weapon and maintenance approved and sanctioned by the Training Section. Initial instruction will also include successful completion of a written examination and demonstration of proficiency with retention skills. Officers will not be allowed to carry or use a ECW without successfully completing the initial eight hour course of instruction, including the physical competency exam.
- C. To maintain certification, all users will be re-qualified in the use of the ECW every year at the divisional level. Failure to successfully complete re-qualification at the divisional level would require an officer to attend another eight hour certification course in order to become certified again.
- D. The divisional ECW coordinator will make a copy of all re-qualification rosters at the divisional level to keep on file for each division. The ECW coordinator will then forward the original re-certification rosters to the In-Service section at the academy.
- E. Officers who are certified to use the ECW and have been issued an ECW will be required to carry the ECW while on duty. ECWs will also be available for check out to certified users at the divisional level. Sergeants should ensure that only those officers who have successfully completed the ECW certification course are issued a ECW.
- F. Supervisors assigned to a Patrol Division should attend the ECW certification course and will carry a ECW during their tour of duty.

# Dallas Police Department General Order

## 907.00 Electronic Control Weapon

Revised 02/17/2017

### 907.04 Use and Deployment

- A. Officers will notify a supervisor, if time allows, when there is an indication by comments of the call or officer's prior knowledge of a location or individual, that there may be a potential for conflict and the use of a ECW may be a needed resource at the location.
- B. A reasonable person standard will be applied when controlling a suspect through the use of ECW force. While control of a suspect through advice, warning, or persuasion is preferable, the use of a ECW is sometimes necessary.
  1. Use of a ECW is justified :
    - a. To control a physically resisting suspect displaying Defensive Resistance.
    - b. To defend an officer or another person from an Actively Aggressive subject.
    - c. To protect a person from seriously injuring themselves.
    - d. To stop or subdue an animal that is aggressive to any person.
    - e. When lesser levels of control are ineffective.
  2. Cautious Subjects: Unless there are compelling reasons that can be clearly articulated, ECWs should not be used on:
    - a. Handcuffed Prisoners
    - b. Pregnant Women
    - c. Elderly
    - d. Juveniles - The deployment of a ECW on such individuals should only be done in extreme circumstances where based upon the situation that the officer encounters no other less or equal levels of control may be reasonably applied or have proven ineffective, and the continued actions of the suspect place the officer, suspect, or another person in imminent danger of serious injury or death.
  3. Length and number of exposures: The number of ECW cycles and the length of each cycle should be based upon the immediate threat of the suspect's actions. Whenever additional cycles are given, or any cycle is given for longer than the standard five (5) seconds, the officer must further explain the intensity of the circumstances that would justify such an exposure. Maximum exposure should be no more than fifteen (15) seconds, total.
  4. Under no circumstances will any ECW be deployed after resistance has ceased.
  5. ECWs WILL NOT be used on subjects who are using techniques of passive resistance, or subjects who are not posing a physical threat to persons or property.
  6. ECWs WILL NOT be used for any of the following:
    - a. Coercion of any type.
    - b. Escorting or prodding individuals.
    - c. Waking unconscious or intoxicated individuals.
    - d. Individuals operating a moving motor vehicle.
    - e. Handcuffed prisoners who are not physically resisting.
    - f. When the subject has come in contact with flammable liquids or is in a flammable atmosphere.
    - g. When the subject is in an elevated position where a fall may cause serious injury or death.
    - h. Horseplay or practical jokes.
    - i. Subjects in deep water.
    - j. In conjunction with alcohol-based OC spray.
  7. Anytime a ECW is deployed by an officer, with the exception of a controlled function check, a supervisor will be notified and will respond to the scene.
- C. ECWs should never be used to intentionally target the head, neck, face, eyes, spine, or groin unless deadly force is justified. Certified ECW users should aim at lower center mass.
- D. Certified ECW users should be cognizant that other agencies or citizens may at any point introduce the use of an alcohol based OC spray.
- E. Two or more certified ECW users will not intentionally deploy their conducted energy devices simultaneously at the same subject at the same time.
- F. Once a ECW has been deployed, the user is required to notify a supervisor. The supervisor will respond to the location and follow General Order 317.00 procedures in any serious injury or death incidental to ECW usage.

### 907.05 Tactical Considerations

- A. Certified ECW users electing to use a ECW to disable a potentially violent suspect should do so with "hard cover" present, when possible. "Hard cover" is at least one additional officer at the scene, other than the officer deploying the ECW, who is safely positioned to monitor the actions of the officer and the suspect, and is immediately prepared to respond with deadly force if necessary.
- B. Certified ECW users deploying a ECW will announce deployment of the device to prevent contagious fire to other officers. Certified officers will also provide loud verbal commands to the subject, when possible and practical, ordering him/her to comply with the officer's instructions. As a standard practice prior to deploying the ECW, certified officers shall announce the words "TASER, TASER" to alert others of the impending use of the weapon.
- C. All officers should be aware that the reaction to the electrical impulses varies from subject to subject and may not establish control.
- D. Certified ECW users should be aware of and assess the background, surroundings and their location, as well as the subjects, before deploying a conducted energy device.
- E. DO NOT fire the Taser X26 weapon or any other ECW near flammable liquids and fumes. A ECW such as the Taser X26 weapon can ignite gasoline or other flammables. Some self-defense OC sprays use flammable carriers like alcohol and could be dangerous to the arrested person and the officers to use in immediate conjunction with a ECW.
- F. The Taser X26 weapon is equipped with a "Drive-Stun" backup capability. The use of the "Drive-Stun" backup weapon is authorized only if the use of the Taser X26 weapon is justified. The "Drive-Stun" should only be used with the cartridge in place and only in extenuating circumstances, i.e., completing the circuit. Target areas for the use of the "Drive-Stun" will include muscle or nerve points on the front, back, side, legs, and arms (radial nerve, brachial plexus tie-in, common peroneal, etc.)

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## 907.00 Electronic Control Weapon

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- G. Employees shall not alter, adjust, or modify the Taser X26 weapon or any other departmental approved ECW in such a way as to change the pressure, the velocity of the probes, or the basic design of the weapon.
- H. When a suspect takes an officer's ECW or the suspect is armed with their own ECW and attacks or threatens to attack an officer, the officer may defend themselves to avoid becoming incapacitated and risking the possible loss of their firearm. When possible, officers should attempt to move outside the ECW's range and seek cover as well as back away to mitigate the danger.

### 907.06 Follow Up Care

Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.

- A. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, check the subject's vital signs (pulse and breathing) to determine any apparent medical difficulties. Place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until release to a detention facility or medical personnel.
- B. Subjects that are subjected to a ECW will receive medical treatment. First aid includes:
  - 1. ECW certified officers will use latex gloves and will carefully remove the probes from the subject.
  - 2. Probe wounds will be wiped with an alcohol swab.
  - 3. Reassure and encourage subject to remain calm.
  - 4. Monitor the subject and look for signs of recovery: controlled breathing, calming of the subject.
  - 5. If the officers do not observe these signs of recovery and believe they have a medical emergency, or they are provided with additional medical information such as heart or respiratory problems, officers should immediately have an MICU respond to the scene.
  - 6. ECW probes shall be removed as soon as possible. ECW probes that are imbedded in a subject's skin (as opposed to just clothing), shall only be removed by certified ECW users, Fire Rescue personnel, or other medical personnel. Officers, including certified ECW users shall not remove probes that are embedded in a subject's head, throat, groin, female breast area, or any other sensitive area. Fire Rescue or other medical personnel will remove these probes. Probes that have penetrated a person's skin shall be considered a biological hazard and shall be handled with the appropriate care.
- C. Adults subjected to a ECW will be seen by MICU if the subject shows no sign of recovery and then transported to a medical facility for further treatment if necessary. Adults subjected to a ECW may be transported directly to Lew Sterrett Justice Center and an examination by medical personnel at Lew Sterrett will be requested prior to being booked in. Due to a contractual agreement with the City, the Lew Sterrett Justice Center will not accept prisoners whose only charge is Public Intoxication, nor will the medical staff treat prisoners who will not be booked into the Justice Center. Adults charged with Public Intoxication may be seen by an MICU before being taken to Detox. Lew Sterrett Justice Center and Detox personnel will be advised that the prisoner being booked has been subjected to a ECW. This information will also be noted in the booking sheet by the transporting officer.
- D. Juveniles who have been subjected to a ECW will be provided medical attention by MICU prior to arrival at the Youth Operations Unit.

### 907.07 Reporting and Administrative Requirements Regarding the Use of the ECW

- A. Certified ECW users will articulate an account of all ECW deployments and provide a brief account of the ECW used (including the ECW's serial number and the spent cartridge serial number). The officer will also include the date, time, location, the name of the medical personnel examining the individual, and if applicable, the MICU ambulance number. If a ECW is deployed, officers will also give a detailed description of number of shots fired, number and length of energy bursts, as well as any observed or reported injuries. In ALL situations where a ECW is deployed (cartridge fired, drive stun, or arch display) , a ECW (Taser X26) Use Form must be completed and forwarded through the officer's chain of command. Officers must report this information using one of the following:
  - 1. A DEARS Arrest Report Narrative
  - 2. A handwritten or MDT generated Injured Person/ ECW Offense Report will be prepared when circumstances dictate that a DEARS Arrest Report will not be prepared.
  - 3. First-line supervisor shall be notified in all instances wherein the ECW has been utilized. The supervisor shall respond to the scene and conduct an inquiry into the incident. This inquiry shall include, but not be limited to, a review of the evidence, interviews of witnesses, and an interview of the subject. The supervisor shall also notify a watch commander or acting watch commander of the incident and ensure that a ECW (Taser X26) Use Form is completed.
  - 4. In all situations where a cartridge is deployed or a suspect is "drive stunned" with the ECW, the ECW (TASER X26) Use Form will be completed before the end of tour of duty, and forwarded through the chain of command to the Bureau Commander. The ECW (TASER X26) Use Form may be obtained from the ECW Coordinator at each Division.
  - 5. The supervisor will ensure that all necessary physical evidence is gathered, processed and stored according to Property Section S.O.P. Evidence will include the spent cartridge, and probes. AFIDS tags may be retrieved at the discretion of a supervisor or the Physical Evidence Section. If an arrest report is completed, all of the ECW information should be placed in the officer's comments section of the arrest report. The arrest report charge should be placed in the "offense" space of the property tag.
- B. Data Downloads
  - 1. Each time a ECW is deployed; the ECW Coordinator will download the data of the ECW used and print the data download report. This report should be forwarded with the ECW (TASER X26) Use Form through the division's chain of command.
  - 2. Semi-Annual audits of each ECW will be conducted by the ECW Coordinator for each Division. To monitor data properly, ECW Coordinators may need to download the ECW data weekly.
  - 3. The audit will then be forwarded for review to the Bureau Commander.

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## 907.00 Electronic Control Weapon

Revised 02/17/2017

- C. Each Division Commander will designate a ECW Coordinator who is a sworn employee that will conduct semi-annual inspections of all ECWs assigned to their respective division. If the designee has any repair problems that cannot be taken care of at the divisional level, the Quartermaster Unit will have final authority to take the weapon out of service and return it to the appropriate manufacturer.

### 907.08 Accidental Discharges

- A. Officers will be held accountable for every trigger pull of the ECW.
- B. If an accidental discharge occurs, a supervisor will be called to respond to the scene. A divisional review of the incident will be conducted for all discharges where there was no contact made or if there were no injuries. If the discharge results in serious bodily injury or death to any person or the field supervisor determines there has been a gross violation of policy, Internal Affairs Division will be called to respond to the scene.
- C. If an accidental discharge occurs and a person is struck, the officer must prepare a "Injured Person/ECW" offense report and the property tag will contain this offense title in the appropriate space. A Damaged Property Report will also be prepared.
- D. If an accidental discharge occurs and no one is struck, the officer must prepare a "Damaged Property Report" and the ECW Coordinator should take a completed copy of the ECW (Taser X26) Use Form to the Quartermaster for a new cartridge. (Record cartridge number and dispose spent cartridge).
- E. In any accidental discharge, a Damaged Property Report must be completed as well as a Division Recommendation for accountability report.

### 907.09 Storage and Other Precautions

- A. A ECW and two cartridges are issued to certified ECW users at the beginning of each duty shift. The ECW should be inspected and a function check should be done prior to being secured on the officer's duty belt. The ECW will be carried on the certified user's duty belt and shall never be left unsecured. The ECW will be stored in its designated holster. This will protect the weapon, and will prevent accidental discharges. ECWs are stored in their designated holsters in a secured area when not checked out for use.
- B. ECWs should be loaded, used, and rendered safe in accordance with the procedures outlined in the ECW training course.
- C. If an officer checked out a departmental ECW, the weapon will be turned in at the end of each duty shift.
- D. Divisional ECW Coordinators will be responsible for ordering extra cartridges and batteries through the Quartermaster and will also be responsible for replacing ECWs that are inoperable or taken due to an internal investigation.
- E. Each Division will maintain a log on each department-issued ECW which will contain the model and serial number of the ECW, the officer's name and serial number to whom the ECW is assigned, the serial numbers of the cartridges assigned to each officer, the reason the new cartridge was issued (i.e. training, defective, use of force incident) and the Service Number of the incident report if the cartridge was fired during an arrest incident.
- F. Departmental issued ECWs may be issued for off-duty use at the discretion of the Division Commander.





## Dallas Police Department General Order

### 908.00 40MM “Stinger” Less Lethal Launcher System

U. RENÉE HALL  
CHIEF OF POLICE

Revised 01/22/2018

#### 908.00 40 MM “STINGER” LESS LETHAL LAUNCHER SYSTEM

##### 908.01 Definitions

- A. 40mm Less Lethal “Stinger” – a less lethal force alternative that discharges a plastic based projectile with the top made of a foam material.
- B. “Stinger” round – A foam topped or tipped projectile discharged by the 40MM Less Lethal System
- C. 40MM Coordinator – Divisional employee responsible for the distribution, upkeep, functionality and auditing of the 40MM “Stinger” Less Lethal System assigned to their Division.
- D. Reasonable Person Standard – Facts or circumstances the employee knows, or should know, are such as to cause an ordinary and prudent peace officer to act or think in a similar way under similar circumstances. “Reasonableness” is subject to review and determination by the chain of command.
- E. “Freelancing”– Undirected and unsupervised individual actions by officers on a scene.
- F. Controlling Supervisor – The supervisor that responds to the scene of the incident.
- G. Defensive Resistance– Physical actions to impede arrest by attempting to prevent officer’s control, but does not involve attempts to harm the officer. This means there has been physical contact between the officer(s) and suspect. Simply running from officers who have not made any previous physical contact with the suspect does not constitute defensive resistance.
- H. Active Aggression– Physical actions of assault toward officer. This includes a suspect who attempts to attack, grabs, punches, kicks, and/or wrestles with the officer.

##### 908.02 General Departmental Policy

- A. It is the policy of the Dallas Police Department to resolve incidents requiring law enforcement intervention in as humane and safe a manner as reasonably possible.
- B. To that extent, the Dallas Police Department will use less lethal alternatives, “Stingers”, in those circumstances that provide for the safe and efficient deployment of less lethal alternatives as described in this policy.
- C. The 40MM “Stinger” Less Lethal Launcher System is a less lethal Launcher System that delivers kinetic energy through a foam topped projectile and is designed for the purpose of subduing persons who are actively resisting arrest while minimizing serious injury or death.
- D. Officers need to be aware of changes in the levels of resistance, and coordinate their level of force accordingly. All use of force must be justified, reasonable, and all pertinent information should be documented including such possible factors as:
  - 1. The severity of the crime
  - 2. Whether the suspect poses an immediate threat to the safety of themselves or others.
  - 3. Does the suspect have a history of violent behavior?
- E. Officers may draw or display the 40MM “Stinger” Less Lethal Launcher System when there is a threat or reasonable belief that there is a threat of active aggression or defensive resistance as outlined in 901.03. This means the officer may draw or display the 40MM “Stinger” Less Lethal Launcher System at a lesser level if the suspect’s actions, or words, reasonably lead the officer to believe that the situation is likely to escalate to the defensive resistance level.
- F. Multiple launchers may be used at one suspect, if necessary.
- G. All users of the 40MM “Stinger” Less Lethal Launcher System must have a body worn camera.

##### 908.03 Authorization and Training

- A. The departmental issued LMT 40MM “Stinger” Less Lethal Launcher System is the only less lethal projectile System authorized to be used by trained and certified sworn members of the Dallas Police Department. All 40MM “Stinger” Less Lethal Launcher Systems will only be used in the line of duty or in approved training with a certified instructor present.
- B. All users of the 40MM “Stinger” Less Lethal Launcher System will attend an initial 8 hour course of instruction including, but not limited to familiarity, application, deployment (physical competency), use of force, transition to primary Launcher and maintenance approved and sanctioned by the Training Section. Initial instruction will also include successful completion of a written examination and demonstration of proficiency with retention skills. Officers will not be allowed to carry or use a 40MM “Stinger” Less Lethal Launcher System without successfully completing the initial eight hour course of instruction, including the physical competency exam.
- C. To maintain certification, all users will be re-qualified in the use of the 40MM “Stinger” Less Lethal Launcher System every year. Failure to successfully complete re-qualification would require an officer to attend another 8 hour certification course in order to become certified again.
- D. The divisional 40MM “Stinger” Less Lethal Launcher System coordinator will make a copy of all re-qualification rosters at the divisional level to keep on file for each division. The 40MM “Stinger” Less Lethal Launcher System coordinator will then forward the original re-certification rosters to the In-Service section at the academy.
- E. Officers who are certified to use the 40MM “Stinger” Less Lethal Launcher System and have been issued an 40MM “Stinger” Less Lethal Launcher System will be required to carry the 40MM “Stinger” Less Lethal Launcher System while on duty. The 40MM “Stinger” Less Lethal Launcher System will also be available for check out to certified users at the divisional level. Sergeants should ensure that only those officers who have successfully completed the 40MM “Stinger” Less Lethal Launcher System certification course are issued a 40MM “Stinger” Less Lethal Launcher System.
- F. Supervisors assigned to a Patrol Division should attend the 40MM “Stinger” Less Lethal Launcher System certification course. Supervisors should not be designated as primary carriers of the 40mm “Stinger” Less Lethal

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## 908.00 40MM “Stinger” Less Lethal Launcher System

Revised 01/22/2018

Launcher and will only deploy the “Stinger” in situations where another supervisor is controlling the situation or emergency circumstances require it.

### 908.04 Use and Deployment

- A. Officers will notify a supervisor, if time allows, when there is an indication by comments of the call or officer's prior knowledge of a location or individual, that there may be a potential for conflict and the use of a 40MM “Stinger” Less Lethal Launcher System may be a needed resource at the location.
- B. A reasonable person standard will be applied when controlling a suspect through the use of 40MM “Stinger” Less Lethal Launcher System. While control of a suspect through advice, warning, or persuasion is preferable, the use of a 40MM “Stinger” Less Lethal Launcher System is sometimes necessary.
  - 1. Use of a 40MM “Stinger” Less Lethal Launcher System is justified:
    - a. To control a physically resisting suspect displaying Defensive Resistance with a weapon (example – person is non-compliant with a weapon but not actively aggressive).
    - b. To defend an officer or another person from a subject displaying Active Aggression.
    - c. To protect a person from seriously injuring themselves.
    - d. To stop or subdue an animal that is aggressive to any person.
    - e. To deny a violent or dangerous subject from moving to an area that is potentially more dangerous to himself or others (example – a subject moving towards a bridge, freeway, or armed subject moving towards citizens).
  - 2. Cautious Subjects: Unless there are compelling reasons that can be clearly articulated, 40MM “Stinger” Less Lethal Launcher System should not be used on:
    - a. Handcuffed Prisoners
    - b. Obviously pregnant subjects
    - c. Known Senior Citizens
    - d. Known juveniles- The deployment of a 40MM “Stinger” Less Lethal Launcher System on such individuals should only be done in extreme circumstances where, based upon the situation that the officer encounters, no other less or equal levels of control may be reasonably applied or have proven ineffective, and the continued actions of the suspect place the officer, suspect, or another person in imminent danger of serious injury or death.
  - 3. Officers must take into consideration four variables that impact Response Continuum use. These variables include, but are not limited to, the following:
    - a. Officer(s)/Subject(s) size, obvious infirmities or disabilities, and age.
    - b. Environmental conditions.
    - c. Reaction time.
    - d. Totality of circumstances.
  - 4. Under no circumstances will any 40MM “Stinger” Less Lethal Launcher System be deployed after resistance has ceased.
  - 5. 40MM “Stinger” Less Lethal Launcher System WILL NOT be used on subjects who are using techniques of passive resistance, or subjects who are not posing a physical threat to persons or property.
  - 6. The “Stinger” will only be used in the “Double-action” mode, and never hand cocked to single action.
  - 7. 40MM “Stinger” Less Lethal Launcher System WILL NOT be used for any of the following:
    - a. Coercion of any type.
    - b. Escorting or prodding individuals.
    - c. Waking unconscious or intoxicated individuals.
    - d. Individuals operating a moving motor vehicle.
    - e. Horseplay or practical jokes.
    - f. Subjects on elevated platforms, or where immediate immobilization of the subject will cause death or serious bodily injury.
- C. 40MM “Stinger” Less Lethal Launcher System should never be used to intentionally target the head, neck, face, eyes, or spine, unless deadly force is justified. Certified 40MM “Stinger” Less Lethal Launcher System users should aim at lower center mass.
- D. The use of the 40MM “Stinger” does not preclude the use of other less lethal items, such as Tasers.
- E. Once a “Stinger” has been deployed, the user is required to notify a supervisor. The supervisor will respond to the location and follow General Order 317.00 procedures in any serious injury or death incidental to 40MM “Stinger” Less Lethal Launcher System usage.

### 908.05 Tactical Considerations

- A. Certified 40MM “Stinger” Less Lethal Launcher System users electing to use a 40MM “Stinger” Less Lethal Launcher System to disable a potentially violent suspect should do so with “hard cover” present, when possible. “Hard cover” is at least one additional officer at the scene, other than the officer deploying the 40mm, who is safely positioned to monitor the actions of the officer and the suspect, and is immediately prepared to respond with deadly force if necessary.
- B. Certified 40MM “Stinger” Less Lethal Launcher System users deploying a 40MM “Stinger” Less Lethal Launcher System will announce deployment of the device to prevent sympathetic fire from other officers. Certified officers will also provide loud verbal commands to the subject, when possible and practical, ordering him/her to comply with the officer's instructions. As a standard practice prior to deploying the 40MM “Stinger” Less Lethal Launcher System, certified officers shall announce the words “Stinger, Stinger, Stinger” to alert others of the impending use of the Launcher.

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- C. All officers should be aware that the reaction to the impact of the projectile varies from subject to subject and may not establish control.
- D. Certified 40MM “Stinger” Less Lethal Launcher System users should be aware of and assess the background, surroundings and their location, as well as the subjects, before deploying an impact device.
- E. Supervisors should have a plan to use multiple 40MM “Stingers”, and not allow “Freelancing” on scene.
- F. Employees shall not alter, adjust, or modify the 40MM “Stinger” Less Lethal Launcher System Launcher.
- G. When practical, the “Stinger” should be cleaned with a bore brush after every deployment of a projectile.
- H. Officers should consider having a Dallas Fire Rescue MICU on standby based on information gathered at the scene and from call information.

### 908.06 Follow-up Care

Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.

- A. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, check the subject's pulse and breathing to determine any apparent medical difficulties. If there is no pulse or breathing, immediately request MICU and start CPR. Otherwise, place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until release to a detention facility or medical personnel.
- B. Subjects that are subjected to a 40MM “Stinger” Less Lethal Launcher System will receive medical evaluation. First aid includes:
  - 1. Call for a Dallas Fire Rescue MICU
  - 2. Reassure and encourage subject to remain calm.
  - 3. Monitor the subject and look for signs of recovery: controlled breathing, calming of the subject.
- C. Anyone subjected to a 40MM “Stinger” Less Lethal Launcher System will be evaluated by DFR paramedics who will determine if the subject requires transport to a medical facility. If the subject does not need additional evaluation or treatment, they will be transported to Lew Sterrett Justice Center or Detox where personnel will be advised that the prisoner being booked has been subjected to a 40MM “Stinger” Less Lethal Launcher System. This information will also be noted in the booking sheet by the transporting officer.

### 908.07 Reporting and Administrative Requirements Regarding the Use of the 40MM “Stinger” Less Lethal Launcher System

- A. Certified 40MM “Stinger” Less Lethal Launcher System users will articulate an account of all 40MM “Stinger” Less Lethal Launcher System deployments where a projectile is launched. Officers will give a detailed description of the 40MM “Stinger” Less Lethal Launcher System serial number, number of stingers launched, and any observed or reported injuries. The officer will include the date, time, location, the name of the medical personnel examining the individual, and if applicable, the MICU ambulance number. In ALL situations where a 40MM “Stinger” is launched, a Response to Resistance Report must be completed in BlueTeam and forwarded through the controlling supervisor to the officer's chain of command. Officers must also report this information using one of the following:
  - 1. An Arrest Report narrative
  - 2. A handwritten or MDT generated Injured Person/ 40MM “Stinger” Less Lethal Launcher System Offense Report will be prepared when circumstances dictate that an Arrest Report will not be prepared.
- B. A first-line supervisor shall be notified in all instances wherein the 40MM “Stinger” Less Lethal Launcher System has been utilized. The supervisor shall respond to the scene and conduct an inquiry into the incident. This inquiry shall include, but not be limited to, a review of the evidence, interviews of witnesses, and an interview of the subject. The supervisor shall also notify a watch commander or acting watch commander of the incident and ensure all required reports are completed by the end of the officers' tour of duty.
- C. In all situations where a 40MM “Stinger” Less Lethal Launcher System is utilized, the Response to Resistance Report will be completed before the end of tour of duty in BlueTeam, and forwarded to the controlling supervisor. The controlling supervisor will review; add comments on if use was within policy, and forward through the chain of command to the Bureau Commander.
- D. The audit will end at the Bureau Commander, who determine if use was within policy, and forward to the BlueTeam Program Administrator.
- E. Each Division Commander will designate a 40MM “Stinger” Less Lethal Launcher System Coordinator who is a sworn employee that will conduct semi-annual inspections of all 40MM “Stinger” Less Lethal Launcher System assigned to their respective division. If the designee has any repair problems that cannot be taken care of at the divisional level, the Quartermaster Unit will have final authority to take the Launcher out of service and return it to the appropriate manufacturer.

### 908.08 Accidental Discharges

- A. Officers will be held accountable for every trigger pull of the 40MM “Stinger” Less Lethal Launcher System.
- B. A supervisor will be called to respond to the scene if an accidental discharge occurs.
- C. If the discharge results in serious bodily injury, death to any person, or the field supervisor determines there has been a gross violation of policy, Internal Affairs Division will be called to respond to the scene.
- D. If an accidental discharge occurs and a person is struck, the officer must prepare an “Injured Person/40MM “Stinger” Less Lethal Launcher System” offense report.
- E. If an accidental discharge occurs and no one is struck, the officer must prepare a “Damage to City Property/40MM “Stinger” Less Lethal Launcher System” offense report.

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- F. In any accidental discharge, the involved officer must complete a Lost or Damaged Property Report in BlueTeam with the proper offense report attached. It will be forwarded to the responding supervisor before the end of tour of duty. The responding supervisor will make recommendations and forward through the Watch Commander to the Division Commander who will determine administrative accountability and restitution requirements of officer involved.
- G. In all accidental discharges, the officer will attend approved remedial training conducted by a 40MM “Stinger” Less Lethal Launcher System instructor.

**908.09 Storage and Other Precautions**

- A. A 40MM “Stinger” Less Lethal Launcher System and six projectiles are issued to certified 40MM “Stinger” Less Lethal Launcher System users at the beginning of each duty shift. The 40MM “Stinger” Less Lethal Launcher System should be inspected and a function check should be done prior to being secured in the officer's vehicle
- B. 40MM “Stinger” Less Lethal Launcher System should be loaded, used, and rendered safe in accordance with the procedures outlined in the 40MM “Stinger” Less Lethal Launcher System training course.
- C. All 40MM “Stinger” Less Lethal Launcher Systems issued will be turned in at the end of each duty shift.
- D. Divisional 40MM “Stinger” Less Lethal Launcher System Coordinators will be responsible for ordering extra projectiles through the Quartermaster and will also be responsible for replacing 40MM “Stinger” Less Lethal Launcher System that are inoperable or taken due to an internal investigation.
- E. Each Division will maintain a log on each department-issued 40MM “Stinger” Less Lethal Launcher System which will contain the model and serial number of the 40MM “Stinger” Less Lethal Launcher System, the officer' name and serial number to whom the system is issued, and the service number of the incident report if the projectile was fired during an arrest incident.



## Dallas Police Department General Order

### 909.00 Response to Resistance Reporting

U. RENEÉ HALL  
CHIEF OF POLICE

Revised 05/10/2018

#### 909.00 RESPONSE TO RESISTANCE REPORTING

##### 909.01 Philosophy

The intent of Response to Resistance reporting is to establish a reporting system within the Department for effective review and analysis. The system will help identify trends, improve training and employee safety, and provide timely information for the Department addressing Response to Resistance issues with the public. Early and accurate reporting helps establish Departmental credibility. Immediate and thorough documentation of any Response to Resistance will possibly protect the officer and Department from future liabilities associated with the Response to Resistance.

##### 909.02 General Departmental Policy

The completion of a Response to Resistance web entry will be required in the following instances:

Any Response to Resistance that is Soft Empty Hand Control or above on the Response Continuum, with the exception of "Compliant Handcuffing" only. This will include, but not be limited to the following:

- A. All take-downs, pressure points, joint locks
- B. Any use of Oleoresin Capsicum Chemical Spray.
- C. Any deployment of the Pepperball System.
- D. Personal weapons such as hands and feet.
- E. Any use of the baton or any other type of instrument that is used as an impact weapon.
- F. Any intentional discharge of an Electronic Control Weapon (Taser) or the 40MM "Stinger" Less Lethal System against a person or animal. Pointing an ECW or 40MM "Stinger" Less Lethal System to gain compliance to verbal commands does NOT require a BlueTeam report. Accidental discharges of the Taser and 40MM "Stinger" Less Lethal System are entered as Lost/Damaged City Property.
- G. The deployment of a firearm which is pointed directly at any individual. This will NOT include when any firearm is deployed as part of a warrant process or felony stop.

Note: A firearm discharge will not be reported in this system. A firearm discharge will be investigated by CAPERS and Internal Affairs.

##### 909.03 Response to Resistance Entry (BlueTeam)

- A. Officers will conduct the initial investigation and make any necessary report immediately after completing the initial investigation.
- B. Officers will enter the BlueTeam reporting system via the Intranet and enter their network user name and password.
- C. Each officer that uses force during an incident will enter the system and document their use of force separately. (The only exception to this will be Firearm Display where one officer may do the report for multiple officers if the only use of force is a Firearm Display.)
- D. Officers will access the Response to Resistance Report (Use of Force) and enter the statistical information completely. If an offense or arrest report has been completed describing an officer's use of force, a narrative in the BlueTeam entry is not required. Officers will only be required to enter the incident # from RMS into the Summary of Incident field.
- E. After completion, the officer will attach any additional required documentation and forward the Response to Resistance report via BlueTeam to their immediate supervisor for review.
- F. The immediate supervisor will review the entry for completeness and accuracy when compared to the RMS report. If approved, the supervisor will indicate in the comments if they reviewed any related body camera evidence and if the force used appears to be within departmental policy. The reviewing supervisor will forward it to the next level of supervision via BlueTeam. If corrections are required, the supervisor will return the entry to the initiating officer.
- G. If there are no injuries reported, the entry and all attachments will be reviewed and approved by a lieutenant. If any injuries are reported, it must be reviewed and approved by a major. If an impact weapon, ECW, or "the 40mm "Stinger" Less Lethal System is used, it must be reviewed and approved by the Bureau Commander. It will then be forwarded to the BlueTeam Program Administrator for release into the database.
- H. Officers who do not have access to a Mobil Data Computer (MDC) or an MDC-enabled desktop workstation will report to a MDC-enabled desktop workstation or call for a patrol element to use an MDC and enter their response to resistance report prior to the end of their shift.

##### 909.04 Response to Resistance Statistical Review and Reports

A yearly analysis of all Response to Resistance reports will be conducted and provided for inclusion in an Annual Report to the Chief of Police.

# Linear Use-of-Force Response Continuum

## DALLAS POLICE DEPARTMENT

